

71-CR-31

D. C. Form No. 100A Rev.

(over)

DATE	PROCEEDINGS
4-23-71 6-8-71	<p> Case is set for Jury Trial on the May 4, 1971 at 10:00 A.M. (AEB-J)js Defendant John Clardy, Jr. present in person and represented. Judgment and Sentence- John Clardy, Jr. (Age 51) It is adjudged that the defendant is hereby committed to the custody of the Atty Gen or his authorized representative for imprisonment for a period of Five (5) years and on the condition that the defendant be confined in a jail type or treatment institution for a period of Six (6) months, the execution of the remainder of the sentence of imprisonment is hereby suspended and the defendant placed on probation for a period of Fifty-Four (54) months. (AEB-J)h Order of J&C filed and entered. (AEB-J)h Two c.c. of Order of Commitment delivered to USM.h Two c.c. of Order of Prob. del. to Prob. Office.h Return on J & C filed. Executed by delivering defendant on 6-8-71 to Tulsa County Jail and further executed by delivering him on 6-19-71 to Leavenworth, Kansas. v Report & Order Terminating Probation Prior to Original Expiration Date, filed. (AEB-J)tc. </p>
6-8-71	
6-8-71	
6-8-71	
6-23-71	
12-8-75	

UNITED STATES MAGISTRATE
NORTHERN DISTRICT OF OKLAHOMA

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Morris L. Bradford U. S. Court House, Tulsa, Oklahoma
(Name of magistrate) (Address)

MAGISTRATE'S
DOCKET NO. 1 CASE NO. 14
THE UNITED STATES
vs.

JOHN CLARDY

Complaint filed on Feb. 5, 19 71, by Larry G. Elkin
Official title Special Investigator, AT&F, charging violation of
United States Code, Title 18, Section 922(a)(6), on Nov. 24
19 70, at Tulsa, Okla. in the
division of the Northern district of Oklahoma
as follows: Did purchase a firearm and make a false
statement in connection with the acquisition of
the firearm

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date _____ Warrant/Summons for _____
to (name and title of officer) _____
Substance of return _____

Date _____ Warrant/Summons for _____
to (name and title of officer) _____
Substance of return _____

M-11
FILED
MAR 9 1971
JOHN H. POE, Clerk
U. S. DISTRICT COURT

(Name of defendant)

(Name of defendant)

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO MAGISTRATE:

Date Feb. 5, 1971 Arrested by Larry G. Elkin

on warrant of Benjamin B. Ballenger
(Name of issuing officer)

Appearances { for United States Ben Baker
(Name)
for accused James A. Frasier
(Name)

without warrant. Tulsa, Oklahoma
(Address)
Tulsa, Oklahoma
(Address)

Proceedings taken The defendant appeared in person and by his attorney, James A.
(Name) (Address)

Frasier, and was advised of his rights to a preliminary hearing and was advised
(Here insert with dates, when appropriate, a serial account of essential steps taken at hearing such as "complaint prepared,"
if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing"; "preliminary examination waived,"
of the charges pending against him as shown in Complaint. The defendant requested

if that is the fact; any adjournments taken, etc.
a preliminary hearing and same was set for March 8, 1971 at 2 p.m. Defendant was
released on unsecured personal bond in the amount of \$2,000.00. The proceedings
on first presentation of accused were before Benjamin B. Ballenger, U. S.
Commissions for the Northern District of Oklahoma.

Outcome Defendant released from custody on execution of unsecured personal
bond in the amount of \$2,000.00.

Bail fixed _____, 19 _____ Amount, \$ _____ Bonded _____, 19 _____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19 _____ [or] by surety
(name) _____ Address _____
(name) _____ Address _____, who
justified by affidavit dated _____, 19 _____, [or] committed to _____
on _____, 19 _____

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date March 8, 1971 Appearances for

United States

(Name)

Ben Baker

(Address)

Tulsa, Oklahoma

Accused

(Name)

James A. Frasier

(Address)

Tulsa, Oklahoma

WITNESSES FOR UNITED STATES:

(List names and addresses)

Larry G. Elkin, Special Investigator,
AT&F, Tulsa, Oklahoma

WITNESSES FOR ACCUSED:

(List names and addresses)

None

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19____
Proceedings taken The Government introduced Larry G. Elkin, AT&F, as its only
witness. After direct examination, said witness was cross examined by defendant's
attorney, James A. Frasier, and at the conclusion of cross examination the
Government stated they had no further witnesses. The defendant by and through
his attorney announced that they had no witnesses. The Court ruled that the
Government had shown probable cause and ordered the defendant held for further
proceedings in the United States District Court for the Northern District of
Oklahoma.

Outcome Defendant was released from custody on his personal bond in the amount
of \$2,000.00.

Bail fixed _____, 19____ Amount, \$ _____ Bonded _____, 19____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19____
[or] by surety (names) _____ Address _____
and _____ Address _____
who justified by affidavit _____, 19____ Committed to _____
on _____, 19____

Certified to be a correct transcript.

Made this 8th day of March, 19 71

Transmitted to Clerk of United States District Court for the Northern
district of Oklahoma, March 8, 19 71

Marion R. B...

United States Magistrate.

UNITED STATES COMMISSIONER

DISTRICT OF

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Benjamin B. Ballenger

(Name of commissioner)

411 U. S. Court House, Tulsa, Okla.

(Address)

COMMISSIONER'S
DOCKET No. 2 CASE No. 611
THE UNITED STATES
vs.

John Clardy

Complaint filed on February 5, 1971, by Larry G. Elkin
Official title Special Inv. AT&F, charging violation of
United States Code, Title 18, Section 922(a)(6), Nov. 24,
1970, at Tulsa in the
division of the Northern district of Oklahoma
as follows: did purchase a firearm and make a false
statement in connection with the acquisition of
the firearm in violation of T. 18, USC Section
922(a)(6)

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date February 5, 1971 Warrant/Summons for John Clardy

to (name and title of officer) the United States Marshal or any other authorized officer:
Substance of return

Date Warrant/Summons for

to (name and title of officer)
Substance of return

FILED

MAR 30 1971

JOHN H. POE, Clerk
U. S. DISTRICT COURT

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date Arrested by

{ on warrant of (Name of issuing officer)
without warrant.

Appearances { for United States (Name) (Address)
for accused (Name) (Address)

Proceedings taken

(Here insert with dates, when appropriate, a serialtim account of essential steps taken at hearing such as "complaint prepared,"

if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"

if that is the fact; any adjournments taken, etc.

Outcome

Bail fixed, 19 Amount, \$ Bonded, 19, by cash
deposited by (name) Address
transmitted to clerk of district court, 19 [or] by surety
(name) Address
(name) Address, who
justified by affidavit dated, 19, [or] committed to
on, 19

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date _____ Appearances for _____

{ United States (Name) _____
(Address) _____
Accused (Name) _____
(Address) _____

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19____
Proceedings taken _____

Outcome _____

Bail fixed _____, 19____ Amount, \$ _____ Bonded _____, 19____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19____
[or] by surety (names) _____ Address _____
and _____ Address _____
who justified by affidavit _____, 19____ Committed to _____
on _____, 19____

Certified to be a correct transcript.

Made this _____ day of _____, 19 ____

Transmitted to Clerk of United States District Court for the _____
district of _____, _____, 19____

United States Commissioner.